

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

CORINA T. ALLEN,

Plaintiff,

v.

RADIO ONE OF TEXAS II, LLC,

Defendant.

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CIVIL ACTION NO. 4:09-4088

**JOINT ADVISORY AND AGREED STIPULATION REGARDING PLAINTIFF'S
ATTORNEYS' FEES FOR POST-JUDGMENT BRIEFING**

The Plaintiff has incurred additional fees subsequent to the Court's entry of final judgment in this case. The parties have conferred in good faith regarding such fees and they hereby stipulate and advise the Court as follows:

1. Since entry of the Final Judgment in this case, Defendant filed a Renewed Motion for Judgment as a Matter of Law and, in the Alternative, Motion for New Trial and/or Remittitur ("Defendant's Motion").

2. In responding to Defendant's Motion and engaging in other post-judgment tasks (but not including time spent filing her own Motion for New Trial regarding claims earlier dismissed pursuant to Defendant's Motion for Summary Judgment), Plaintiff has incurred additional attorney's fees.

3. The Court has denied the Defendant's Motion in its entirety and without altering the Final Judgment entered on June 9, 2011.

4. Defendant stipulates and agrees that the total sum of Nineteen Thousand Eight Hundred Ninety-two Dollars and Five Cents (\$19,892.05) represents the total additional amount of reasonable and necessary attorney's fees incurred by Plaintiff (through her counsel at Dow

Golub Remels & Beverly, LLP) in connection with her retaliation claim from June 9, 2011 through October 31, 2011. The Parties therefore stipulate that the total amount for fees for Dow Golub Remels & Beverly, LLP through October 31, 2011, including the amounts stipulated in Docket Entry No. 133 and awarded in Docket Entry No. 139 at p. 6, is Two Hundred Ninety-three Thousand One Hundred Sixty-four Dollars and Sixty-four Cents (\$293,164.64), and shall be deemed incorporated for all purposes into the Final Judgment entered on June 9, 2011.¹

5. As noted, the amount of Nineteen Thousand Eight Hundred Ninety-two Dollars and Five Cents (\$19,892.05) set forth in ¶¶ 4 and 6 is stipulated for time through October 31, 2011. Plaintiff may seek additional fees for time incurred after October 31, 2011, including time spent in connection with appellate proceedings.

6. Should the award to Plaintiff be reduced by any amount as a result of appellate proceedings and/or any new trial in this matter, then Defendant does not stipulate that Plaintiff is entitled to Nineteen Thousand Eight Hundred Ninety-two Dollars and Five Cents (\$19,892.05) as attorneys' fees reasonably and necessarily incurred in connection with her retaliation claim between June 9 and October 31, 2011, and the amount of such fees shall be subject to further consideration by the Court in accordance with applicable law.

¹ This stipulation does not affect the award of attorney's fees for time incurred by the Law Offices of Thomas H. Padgett, Jr., which remains \$59,380.00. It pertains only to fees awarded for time incurred by Dow Golub Remels & Beverly, LLP.

Respectfully submitted,

/s/ Andrew S. Golub

Andrew S. Golub
State Bar No. 08114950
DOW GOLUB REMELS &
BEVERLY, LLP
9 Greenway Plaza, Suite 500
Houston, Texas 77046
Tel: (713) 526-3700
Fax: (713) 526-3750

ATTORNEY-IN-CHARGE FOR PLAINTIFF
CORINA T. ALLEN

OF COUNSEL (for Plaintiff):

Thomas H. Padgett, Jr.
The Law Offices of Thomas H. Padgett, Jr.
SBOT: 15405420
Fed. ID: 11554
4809 Pine St.
Bellaire, Texas 77401
Ph: 832-335-9134
Fax: 713-664-2049
tpadgettlaw@gmail.com

/s/ Dennis Duffy (by permission)

Dennis Duffy
State Bar No. 06168900
Federal I.D. No. 10502
BAKER BOTTS L.L.P.
One Shell Plaza
910 Louisiana Street
Houston, Texas 77002
Telephone: 713.229.1799
Facsimile: 713.229.2899
E-mail: dennis.duffy@bakerbotts.com

ATTORNEY-IN-CHARGE FOR DEFENDANT
RADIO ONE OF TEXAS II, LLC

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the foregoing was served via the Court's Electronic Case Filing (ECF) system on the following counsel of record.

Dennis Duffy
Baker Botts L.L.P.
910 Louisiana
Houston, Texas 77002

/s/ Andrew S. Golub
Andrew S. Golub